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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

2:17-cr-00315-APG-GWF

Plaintiff,

## **Stipulation to Continue the Sentencing Hearing**

vs.

PERYOUN NEWMAN,

**Defendant.**

IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE ELIESON, United States Attorney, and CHRISTOPHER BURTON, Assistant United States Attorney, counsel for the United States of America, and STEVEN STEIN, ESQ., counsel for Defendant PERYOUN NEWMAN, that the sentencing hearing date in the above-captioned matter, currently scheduled for January 23, 2018, at 11:00 am, be vacated and continued to February 13, 2018, at 2:00 pm, or to a date and time to be set by this Honorable Court but no sooner than fourteen (14) days.

This stipulation is entered into for the following reasons:

1. Defendant wishes to file a sentencing memorandum, to which the Government will wish to file a response. The parties need additional time to prepare and

1 file these pleadings in preparation for the scheduled sentencing.

2       2. The parties agree to the continuance.

3       3. The defendant is currently detained pending trial but does not object to a  
4 continuance.

5       4. Further, denial of this request for continuance could result in a miscarriage  
6 of justice.

7       5. The additional time requested herein is not sought for purposes of delay,  
8 but to allow for an opportunity to fully address matters relevant to sentencing.

9       6. This is the first request for a continuation of the sentencing hearing for  
10 defendant PERYOUN NEWMAN.

11  
12 DATED this 22nd day of January, 2018.

13  
14  
15           //s//  
16 STEVE STEIN, ESQ.  
Counsel for Defendant  
PERYOUN NEWMAN  
17

Respectfully submitted,  
DAYLE ELIESON  
United States Attorney  
//s//  
CHRISTOPHER BURTON  
Assistant United States Attorney

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2                   **UNITED STATES DISTRICT COURT**  
3                   **DISTRICT OF NEVADA**  
4                   **-oOo-**

5                   UNITED STATES OF AMERICA,

2:17-cr-00315-APG-GWF

6                   Plaintiff,

7                   vs.

**ORDER**

8                   PERYOUN NEWMAN,

9                   Defendants.  
10

11                  Based on the pending Stipulation of counsel, and good cause appearing  
12 therefore, the Court finds that:

- 13                  1.     Defendant wishes to file a sentencing memorandum, to which the  
14                   Government will wish to file a response. The parties need additional time  
15                   to prepare and file these pleadings in preparation for the scheduled  
16                   sentencing.
- 17                  2.     The parties agree to the continuance.
- 18                  3.     The defendant is currently detained pending trial but does not object to a  
19                   continuance.
- 20                  4.     Further, denial of this request for continuance could result in a miscarriage  
21                   of justice.
- 22                  5.     The additional time requested herein is not sought for purposes of delay,  
23                   but to allow for an opportunity to fully address matters relevant to sentencing.

24                  ///

6. This is the first request for a continuation of the sentencing hearing for defendant PERYOUN NEWMAN.

## **CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendants, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein the full opportunity to address issues relevant to sentencing, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the sentencing hearing, taking into account the exercise of due diligence.

## ORDER

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for January 23, 2018, at the hour of 11:00 am, be vacated and continued to February 13, 2018 at the hour of 2:00 am/pm.

DATED 22nd day of January, 2018.

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THE HONORABLE ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE